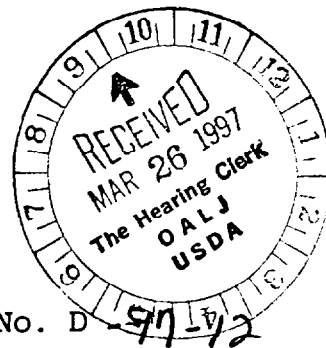


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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE



In re:) P & S Docket No. D-97-12
)
Larreen Susan Becherer and)
Becherer Feeder Pig Company)
)
Respondent) Decision

This proceeding was instituted under the Packers and Stockyard Act (7 U.S.C. §181 et. seq.) by a complaint filed by the Acting Deputy Administrator, Packers and Stockyards Programs, Grain Inspection and Packers and Stockyards Administration, United States Department of Agriculture, alleging that the respondents willfully violated the Act and the regulations issued thereunder. This decision is entered pursuant to the consent decision provisions of the Rules of Practice applicable to this proceeding (7 C.F.R. §1.138).

The respondents admit the jurisdictional allegations in paragraph I of the complaint and specifically admit that the Secretary has jurisdiction in this matter, neither admit nor deny the remaining allegations, waive oral hearing and further procedure, and consent and agree, for the purpose of settling this proceeding and for such purpose only, to the entry of this decision.

The complainant agrees to the entry of this decision.

Findings of Fact

(1) Becherer Feeder Pig Company, hereinafter referred to as respondent Becherer Feeder, is a corporation organized and

existing under the laws of the state of Illinois. Its mailing address is 7916 Minnegan Road, Waterman, Illinois 40556.

(2) Respondent Becherer Feeder, at all times material herein, was engaged in the business of a dealer buying and selling livestock in commerce for its own account and the account of others.

(3) Respondent Becherer Feeder, at all times material herein, was not registered with the Secretary of Agriculture as a dealer to buy and sell livestock in commerce for its own account or the account of others.

(4) Larreen Susan Becherer, hereinafter referred to as respondent Becherer, is an individual whose mailing address is 7916 Minnegan Road, Waterman, Illinois 40556.

(5) Respondent Becherer is, and at all times material herein was:

(a) the owner of respondent Becherer Feeder;

(b) engaged in the business of a dealer buying and selling livestock in commerce for her own account or the account of others;

(c) not registered with the Secretary of Agriculture as a dealer to buy and sell livestock in commerce for her own account or the account of others; and

(d) responsible for the direction, management and control of the day-to-day operations of respondent Becherer Feeder.

Conclusions

The respondents having admitted the jurisdictional facts and the parties having agreed to the entry of this decision, such decision will be entered.

Order

Respondents Larreen Susan Becherer and Becherer Feeder Pig Company, their agents and employees, directly or through any corporate or other device, in connection with their activities subject to the Packers and Stockyards Act, shall cease and desist from:

1. Engaging in business in any capacity for which registration and bonding is required under the Packers and Stockyards Act, as amended and supplemented, and the regulations, without registering with the Secretary of Agriculture and filing an adequate bond or its equivalent, as required by the Act and the regulations;
2. Failing to pay, when due, the full purchase price of livestock; and
3. Failing to pay the full purchase price of livestock;

Respondents Larreen Susan Becherer, as alter ego of Becherer Feeder Pig Company, and Becherer Feeder Pig Company shall not be registered to engage in business subject to the Act for a period of five (5) years and thereafter until the respondents are properly registered and bonded. Provided, however, that upon application to the Packers and Stockyards Programs a supplemental order may be issued allowing respondents to register with the

Secretary of Agriculture and obtain an adequate bond or its equivalent at any time after 120 days upon demonstration by the respondents that all unpaid livestock sellers identified in this complaint have been paid in full, and provided further that this order may be modified upon application to the Packers and Stockyard Programs to permit the salaried employment of respondent Larreen Susan Becherer by another registrant or packer after the expiration of the initial 120 days. Pursuant to section 303 of the Act (7 U.S.C. §203), the respondents are prohibited from engaging in business subject to the Act without being registered with the Secretary of Agriculture.

The provisions of this order shall become effective on the sixth day after service of this order on the respondents.

Copies of this decision shall be served upon the parties.

By: Larreen Susan Becherer
BECHERER FEEDER PIG COMPANY
Respondent

President
Title

Larreen Susan Becherer
LARREEN SUSAN BECHERER
Respondent

Kimberly D. Hart
KIMBERLY D. HART
Attorney for Complainant

Issued this 21st day of March, 1997

Donna A. Baker
Administrative Law Judge